

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ALTA GARRETT, §
v. §
Plaintiff, § CIVIL ACTION NO.
JUDSON INDEPENDENT SCHOOL § SA-06-CA-0174 OG (NN)
DISTRICT, §
Defendant. §

ORDER STRIKING MOTION TO EXTEND DEADLINE

The matter before the Court is Plaintiff's motion to extend discovery deadline (docket entry 39).

Upon review of the motion, it appears that Plaintiff did not include a certificate of conference with opposing counsel as required by Local Rule CV-7(h).

Local Rule CV-7(h) requires that parties confer as a predicate to filing any nondispositive motion, and further, that any such motion certify that such conference has occurred. Specifically, Local Rule CV-7(h) provides:

Conference Required. The Court may refuse to hear or may deny a nondispositive motion unless the movant advises the Court within the body of the motion that counsel for the parties have first conferred in a good-faith attempt to resolve the matter by agreement and, further, certifies the specific reason(s) that no agreement could be made.

Local Rule CV-7(h) serves the important purpose of encouraging the parties to attempt resolution of pretrial matters without court intervention so as to minimize the burden on judicial resources and the attendant delays and expense in preparing their case for ultimate disposition. It also allows the

Court to promptly approve relief when it is unopposed but nevertheless requires Court order to be effective.

The motion fails to comply with Local Rule CV-7(h). Consequently, it is hereby **ORDERED** **STRICKEN**, subject to refiling with the appropriate certificate of conference or notation that the motion is unopposed.

SIGNED on December 14, 2006.

Nancy Stein Nowak
NANCY STEIN NOWAK
UNITED STATES MAGISTRATE JUDGE